

**Notice of Meeting
UNIVERSITY OF HAWAI'I**

BOARD OF REGENTS COMMITTEE ON INTERCOLLEGIATE ATHLETICS

Members: Regents Acoba (Chair), Westerman (Vice-Chair), Acopan, Bal, and Higaki

Date: Thursday, September 3, 2020

Time: 9:00 a.m.

Place: Virtual Meeting

In light of the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, this will be a virtual meeting and written testimony and oral testimony will be accepted in lieu of in-person testimony. Meetings may be monitored remotely via the livestream pilot project. See the Board of Regents website for information on accessing the livestream: www.hawaii.edu/bor. Mahalo for your consideration.

AGENDA

I. Call Meeting to Order

II. Approval of Minutes of the June 4, 2020 Meeting

III. Public Comment Period for Agenda Items:

All written testimony on agenda items received after posting of this agenda and up to 24 hours in advance of the meeting will be distributed to the board. Late testimony on agenda items will be distributed to the board within 24 hours of receipt. Written testimony may be submitted via the board's website through the testimony link provided on the [Meeting Agendas, Minutes and Materials](#) page. Testimony may also be submitted via email at bor.testimony@hawaii.edu, U.S. mail, or facsimile at (808) 956-5156. All written testimony submitted are public documents. Therefore, any testimony that is submitted for use in the public meeting process is public information and will be posted on the board's website.

Those wishing to provide oral testimony for the virtual meeting may register [here](#). Given constraints with the online format of our meetings, individuals wishing to orally testify must register no later than 8:00 a.m. on the day of the meeting in order to be accommodated. It is highly recommended that written testimony be submitted in addition to registering to provide oral testimony. Oral testimony will be limited to three (3) minutes per testifier.

IV. Agenda Items

A. Impacts of COVID-19 on University of Hawai'i (UH) Athletics:

1. Health and Safety Matters: UH Mānoa and UH Hilo:

- (a) Review and Monitoring of the Health and Safety of Student Athletes, Coaches, and Staff
 - (b) Health and Safety Status of All Sports Programs Including a Brief Summary on Scheduling of Athletic Events
 - 2. Financial Matters: UH Mānoa
 - (a) Review of the Annual Athletic Budget and Financial Integrity of the Athletic Department
 - (b) Student Athletic Fees
 - B. Committee Work Plan Discussion
 - 1. Committee's Role in Monitoring and Overseeing the Athletics Program in the Context of COVID-19
 - 2. Committee Work Plan
- V. Adjournment**

DISCLAIMER – THE FOLLOWING ARE DRAFT MINUTES AND ARE SUBJECT TO FURTHER REVIEW AND CHANGE UPON APPROVAL BY THE COMMITTEE

MINUTES

BOARD OF REGENTS COMMITTEE ON INTERCOLLEGIATE ATHLETICS

MEETING

JUNE 4, 2020

Note: On January 30, 2020, the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern, subsequently declaring it a pandemic on March 11, 2020. On March 16, 2020, Governor David Y. Ige issued a supplementary proclamation that temporarily suspended Chapter 92, Hawaii Revised Statutes, relating to public meetings and records, “to the extent necessary to enable boards to conduct business in person or through remote technology without holding meetings open to the public.”

I. CALL TO ORDER

Chair Simeon Acoba called the meeting to order at 9:00 a.m. on Thursday, June 4, 2020. The meeting was conducted virtually with regents participating from various locations.

Committee members in attendance: Chair Simeon Acoba; Vice-Chair Michael McEnerney; Regent Kelli Acopan; Regent Eugene Bal; and Regent Robert Westerman.

Others in attendance: Board Chair Ben Kudo; Regent Wayne Higaki; Regent Randy Moore; Regent Michelle Tagorda; Regent Ernest Wilson (ex officio committee members); President David Lassner; Vice President (VP) for Administration Jan Gouveia; VP for Legal Affairs/University General Counsel Carrie Okinaga; VP for Academic Planning and Policy Donald Straney; VP for Research and Innovation Vassilis Syrmos; UH Mānoa (UHM) Provost Michael Bruno; UH Hilo (UHH) Chancellor Bonnie Irwin; UH West O’ahu Chancellor Maenette Benham; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. APPROVAL OF MINUTES OF THE MARCH 5, 2020 MEETING

Vice-Chair McEnerney moved to approve the minutes of the March 5, 2020, meeting, seconded by Regent Westerman, and the motion carried with all members present voting in the affirmative.

III. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that the Board Office did not receive any written testimony, and no individuals signed up to provide oral testimony.

IV. AGENDA ITEMS

A. Title IX Update – UHM (Deferred from March 5, 2020)

UHM Athletic Director (AD) David Matlin introduced Lois Manin, Associate Athletic Director and Senior Women's Administrator, and Amanda Paterson, Assistant Athletic Director for Compliance and Eligibility, to provide the Title IX report on behalf of UHM.

Ms. Manin briefly reviewed the history of gender equity planning at UHM in response to Title IX noting that the first departmental gender equity plan was created in 1994 and that the athletic department is currently operating under its sixth gender equity plan. She described the three prongs of substantial proportionality, continued expansion, and full accommodation, which are used by athletic departments across the country to provide equitable participation opportunities in athletics stating that at least one of these three prongs needed to be satisfied to maintain compliance with Title IX. Similar to other university athletic departments, the UHM athletic department focuses on the issue of substantial proportionality, which requires that opportunities for participation in intercollegiate sports by gender are in approximate proportion to undergraduate enrollment. To achieve this proportionality, UHM first calculates the percentage of women enrolled at the university as undergraduates and then adjusts rosters on women's athletic teams accordingly to ensure that the percentage of women participating in athletics is within less than five percent of the overall women's undergraduate enrollment percentage. UHM has remained well within the five percent goal since 2015 and continues to strive to improve female participation in intercollegiate athletics.

The awarding of athletic scholarships to female student athletes has also remained steady in relation to the percentage of female students participating in athletics at UHM. The UHM athletic department continues working towards a goal of awarding a percentage of female scholarship dollars that is within less than one percent of the female participation percentage.

Ms. Manin noted that besides scholarships and participation, the UHM athletic department continues to monitor Title IX and gender equity progress in numerous program areas including facilities, medical services, publicity, and support services. She highlighted recent accomplishments in this arena including the negotiation of a contract to provide increased television coverage for women's water polo, women's tennis, and Olympic sports, as well as securing a \$70,000 grant to fund mental health services for female athletes. UHM athletics also continues to focus on a master facilities plan to ensure gender equity. Ms. Manin stated that the UHM athletic department's capital improvement program has dedicated \$14.4 million for improvements to women's athletic facilities, and she reviewed several capital improvement projects that have been completed or are currently in progress.

Ms. Paterson provided a brief outline of the student athlete handbook, highlighting areas specific to Title IX, and reviewed current and ongoing Title IX education and training for all coaches, staff, and student athletes, stating that Title IX education and training is conducted on an annual basis as mandated by the National Collegiate Athletic Association (NCAA).

B. Academics Progress Report

UHH AD Patrick Guillen presented an overview of the academic performance of student-athletes at UHH for the 2018-2019 academic year. He noted the academic success of UHH student-athletes for the fall semester mentioning that they earned a cumulative grade point average (GPA) of 3.112 with 45 percent of the 223 student-athletes earning a fall semester GPA of 3.30 or higher and 57 percent earning a cumulative GPA of 3.0 or higher. To date, for the academic year, 114 student-athletes earned a cumulative GPA of 3.077 which established a new record. It is anticipated that the GPA for the academic year will increase once all grades for the spring semester are calculated and reported to the UHH athletic department. Academic success was attributed to changes in recruiting practices that focus on academics, an increase in academic expectations, and an infusion of resources into academic support for student-athletes. AD Guillen also presented a three-year, historical perspective of GPA by sport stating that academic progress has shown continued improvement.

An overview, by sport, of the academic success rate and missed class days of student-athletes, as well as overall student-athlete retention rates, graduation rates, and areas of origin was also provided by AD Guillen. He mentioned that UHH continues to experience improved retention rates with an average of 80 percent of student-athletes returning and that graduation rates have continually increased since 2015 with 30 student-athletes graduating this year.

Regent Moore commented that it would be helpful to have context as to how the data regarding GPA, graduation rates, and retention rates for student-athletes compare to the same data points applied to the entire student body. AD Guillen replied that it was his understanding that the rates were higher for student-athletes. However, he did not have the data readily available but could provide it to the committee.

AD Matlin introduced Dr. Ronald Cambra, Assistant Vice Chancellor for Undergraduate Education, and Ms. Courtney Tsumoto, Director of Academics, Student-Athlete Academic Services (SAAS), to provide the academic progress report for UHM. Dr. Cambra gave a synopsis of the academic performance rate (APR) for UHM athletics highlighting that UHM has improved its APR score for six consecutive years with an APR score of 984 being achieved for the 2018-2019 academic year, which is slightly above the national average APR score of 983. A record 11 of 18 teams posted perfect, single-year APR scores of 1,000 during the 2018-2019 academic year with the men's volleyball team achieving its third perfect score in three years and women's tennis team achieving its sixth perfect score in seven years. Thirteen teams also posted multi-year APR scores of 980 or higher, with 11 of these teams matching or bettering their respective sport's national average.

Dr. Cambra noted that as of fall 2019, UHM student-athletes maintained a semester GPA of 3.08 and a cumulative GPA of 3.13 with 63 percent of the 492 student-athletes earning a semester GPA of 3.0 or higher, 61.5 percent earning a cumulative GPA of 3.0 or higher, and 40 student-athletes earning a fall GPA of 4.0. This success carried over to the spring semester of 2020, with student-athletes maintaining a semester GPA of 3.42 and a cumulative GPA of 3.25 with 86 percent of the student-athletes earning a

semester GPA of 3.0 or higher, 69 percent earning a cumulative GPA of 3.0 or higher, and 68 student-athletes earning a spring GPA of 4.0. He remarked, however, that GPA calculations for the spring semester were impacted by the change in the grading system used due to COVID-19.

Ms. Tsumoto presented an overview of the academic challenges faced by student-athletes at UHM due to the COVID-19 pandemic. As the majority of services provided by SAAS, including academic advising, tutoring, mentoring, study halls, and learning sessions, take place on an in-person basis at the Nagatani Academic Center, SAAS advisors and staff had to quickly adapt to the rapidly changing educational landscape in order to provide these services in an online format. She stated that a major educational challenge faced by many student-athletes was a lack of personal laptops to allow for the continuation of their coursework in an online format. SAAS was able to secure the use of travel laptops to loan to student-athletes and worked with Hamilton and Sinclair libraries to keep computer labs open to continue to meet the educational needs of the student-athletes. Ms. Tsumoto also noted that SAAS maintains a close working relationship with coaches to ensure that they are able to regularly monitor a student-athlete's academic progress.

Vice-Chair McEnerney asked whether the increase experienced in GPAs during the spring 2020 semester was due to the cancellation of athletics which may have allowed student-athletes to focus more on academics. Dr. Cambra replied that the increase in GPAs may have reflected the cancellation of athletics but remarked that student-athletes were also away from campus which created difficulties in meeting their educational needs. He stated that it was his belief that the work of SAAS in using technology to remain in close contact with student-athletes was remarkable which is reflected in the spring GPAs.

C. Financial Update

AD Guillen presented an overview of revenue generated and expenses realized by the UHH athletic department for the past three fiscal years. He noted that the UHH athletic department was projecting a surplus of \$229,900 for the current fiscal year mostly due to the cancellation of its spring sports. Financial challenges that the UHH athletic department may face in the next fiscal year include possible budget cuts, decreases in game guarantees, the possibility of shortened athletic seasons, increased hotel rates, and rising airline travel costs due, in large part, to the COVID-19 pandemic. However, the severity of these challenges and the fiscal impacts they will have on the UHH athletic department are still largely unknown. He stated that booster clubs have stepped forward to provide financial assistance in meeting some of these challenges.

The UHH athletic department also continues to explore additional avenues to generate revenue. The creation of a Vulcan development board in collaboration with athletic booster clubs to generate increased financial support from the community is currently being discussed, online merchandising continues to be pursued, and talks continue with the UH bookstore and UHH licensing partners regarding merchandising opportunities. AD Guillen also mentioned that the PacWest Conference (PacWest)

signed a multimedia partnership with FloSports which should also generate some revenue for the UHH athletic department.

Chair Acoba asked what accounted for the \$230,000 surplus. AD Guillen replied that the surplus was primarily due to the cancellation of spring sports which eliminated almost all travel-related expenses.

AD Matlin provided a brief overview of the athletic department's budget including revenues generated, expenses incurred, and the overall budget deficit. He noted that only 10 percent of public university athletic departments generate more revenues than expenses and those that experience positive or break-even financial outcomes generally receive greater external support from sources such as student fees and government appropriations.

While the budget deficit for the 2018 fiscal year was \$2.1 million, UHM AD Matlin remarked that, if not for cost challenges such as travel and fringe benefit costs that are unique to Hawai'i athletics, the UHM athletic department would have a surplus of approximately \$4 million. Although UHM athletics generates a higher amount of revenue than its peer institutions and has experienced an increase in revenues of approximately 22.3 percent over the past five years, it also continues to face significant challenges from increased expenses, particularly with regard to fringe benefits which are approximately 20 percent higher than the average for Mountain West Conference (MWC) institutions.

AD Matlin also highlighted UHM athletics' economic value to the State referencing impacts outlined in a study conducted by the Shidler College of Business at UHM. The financial impact of UHM athletics on the university was also reviewed. UHM generates approximately \$17.2 million for the university through various sources including \$5.6 million in tuition from athletes not on scholarship, \$1.1 million in parking revenues from on-campus athletic events, and over \$1 million from branding and advertising.

Vice-Chair McEnerney inquired as to what made the provision of athletic student aid unique in Hawaii compared to other institutions. AD Matlin replied that the primary reason for UHM athletics' student aid costs being unique relates to the numbers of student athletes from foreign countries and the mainland. There are also scholarship and tuition costs that differ from peer institutions.

Regent Wilson arrived at 10:08 a.m.

Noting that \$15.3 million was listed as "other expenses" incurred by UHM athletics in 2019, Vice-Chair McEnerney asked if this was due to travel expenses. AD Matlin responded that travel expenses, travel subsidies, and required guarantees for games accounted for the majority of the expenses in the "other expenses" category.

D. Impact of COVID-19 on the Foreseeable Future of UH Athletics

AD Guillen stated that the dynamic nature of COVID-19 has required the UHH athletic department to maintain flexibility as the situation continues to evolve. He reported that a working group has been formed to prepare for the return of student-

athletes to campus. Some actions are already being taken by the UHH athletic department in preparation for the return of students to campus including purchasing personal protective equipment and sanitation supplies for all facilities and common areas, establishing sanitation protocols and increasing sanitation schedules, and reconfiguring study labs, athletic rooms, and common areas to meet physical distancing guidelines. The UHH athletic department works in collaboration with the UHH administration to ensure that its response efforts are consistent with general campus, State, county, and Centers for Disease Control and Prevention guidelines. The student-athlete experience, as well as the mental health of student-athletes, is also being considered and addressed by the UHH athletic department as it searches for creative ways to hold virtual team events, meetings, and bonding activities, and possibly even in-person team activities with proper physical distancing guidelines in place.

The PacWest also has a working group that meets weekly to discuss the various COVID-19 guidelines developed by each member institution, as well as requirements of state and local authorities for the areas where member institutions are located. Plans for athletic competition in the fall that are based on NCAA recommendations are also being formulated by the PacWest working group.

AD Guillen mentioned that a national survey was being conducted among all NCAA Division II institutions, which includes UHH, regarding fall sports and issues such as scheduling, season timetables and start dates, and fall season championships. He stated that many of these issues are dependent on state and local guidelines and the mandates established by authorities and campus administrations, all of which remain uncertain.

AD Matlin stated that, similar to the UHH athletic department, the UHM athletic department has to maintain flexibility with contingency planning as the COVID-19 situation continues to evolve. UHM athletics is monitoring COVID-19 response actions throughout the country and continues to work closely with the NCAA, the university administration, the State, the county, both the Big West Conference and MWC and their respective member institutions, and other groups to ensure that response efforts are consistent and allow UHM athletics to meet its core values and guiding principles. He highlighted some of the major actions taken by UHM athletics to address COVID-19 including closure of all athletic facilities to all students; prohibition of in-person use of the Nagatani Academic Center; allowing for specific, appointment-only training room services; canceling all non-competition events such as banquets and booster club fundraisers; and encouraging all athletic staff to work from home. Virtual communication with student-athletes also occurs on a regular basis to ensure their mental health and well-being and keep them updated on any changes in the status of intercollegiate athletics. The UHM athletic department continues to monitor the COVID-19 situation and remains prepared to resume operations with proper safeguards in place when the time arises.

All spring collegiate sports seasons for 2020 were cancelled and fall sports activities such as training camps and practices have been postponed. AD Matlin stated that while the majority of UHM's collegiate sports take place in the spring, the major revenue-generating sports occur in the fall. It is uncertain how fall sports will be

conducted and whether schedules, timetables, tournament play, and conference championships will need to be modified as these decisions are highly dependent on state and local guidelines and mandates that may be established by authorities and campus administrations.

AD Matlin reported that efforts are ongoing to develop, evaluate, assess, and implement various initiatives to reduce expenses, increase revenues, and continue moving the athletics department forward. He also reviewed steps taken by UHM athletics to utilize social media and other virtual instruments as a means of continued fan engagement. Social media contests, team feature videos, player bios, and even cooking videos made by the athletic directors of both UHM and UHH have been created to sustain fan interest and support.

Vice-Chair McEnerney queried whether the anticipated lessening of fan capacity for sporting events held in large venues as a result of physical distancing guidelines and the concomitant decrease in fan attendance and revenue were factored in to the UHM athletic department's financial calculations. AD Matlin replied in the affirmative stating that various models have been developed to address this issue.

Board Chair Kudo asked whether the UHM athletic department was proactively and systematically assessing the changing landscape of competitive intercollegiate athletics due to COVID-19 and searching for ways to respond operationally to these changes that could result in decreased expenses or increased revenue. AD Matlin responded that the UHM athletic department has been assessing a number of ways it can respond operationally to address the impacts of COVID-19. The UHM athletic department is currently reviewing its policies and procedures to determine areas where both immediate and long-term changes can be made to increase efficiency and reduce costs, particularly with travel costs which account for a large portion of the expenses. He also mentioned that the UHM athletic department will be working to determine the feasibility of several revenue-generating initiatives it believes will be available to UHM athletics when a "new normal" for intercollegiate athletics is established.

Chair Kudo asked if the UHM athletic department has been consulted on the progress of the stadium redevelopment plans. AD Matlin replied that the UHM athletic department and Stadium Authority have had several meetings on this issue and it has provided input on the redevelopment plans. Meetings are anticipated to continue throughout the planning, designing, and building process.

Regent Higaki questioned whether cost-savings were realized during the COVID-19 pandemic with the decrease in use of athletics facilities. AD Matlin replied that the athletic department is trying to minimize facility costs, particularly with regard to utility costs, as much as possible during the COVID-19 pandemic.

E. Update on Legislation Related to Postsecondary Student Athlete Compensation for the Use of Name, Image, or Likeness (NIL)

AD Matlin reported that in April, 2020, the NCAA Board of Governors announced their support of NIL compensation with the stipulation that the use of trademarked items

such as conference and school logos not be allowed. Furthermore, the NCAA directed all of its three divisions to immediately begin modifying and modernizing relevant bylaws, policies, and rules to address this situation stipulating that they take effect no later than January of 2021. The NCAA is hopeful to have concepts for NIL policies and regulations submitted over the summer and formal proposals completed by the fall of 2020 for adoption. He also stated that the NCAA realizes that a patchwork of individual state laws that are unique to each state would result in the NCAA, and collegiate athletics in general, having difficulty functioning on a national level, and that in May 2020, the Power 5 conferences sent a letter to the United States Congress requesting consideration of federal legislation on NIL.

F. Committee Annual Review

Chair Acoba referenced the committee annual review matrix provided in the materials packet and asked for comments from committee members. Hearing none, Chair Acoba requested that the committee adopt the annual review by voice vote and all committee members present voted in the affirmative.

Chair Acoba stated that the athletic program, under Regents Policy 7.208, is part of the educational function of the university and fundamental changes in athletics are forecasted. Athletics is an asset of the university and requires continued focused attention and expertise that a standing committee provides.

V. ADJOURNMENT

There being no further business, Vice-Chair McEnerney moved to adjourn, seconded by Regent Westerman, and with all members present voting in the affirmative, the meeting was adjourned at 10:27 a.m.

Respectfully Submitted,

Kendra Oishi
Executive Administrator and Secretary
of the Board of Regents

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University of Hawai'i at Mānoa Athletics

Presentation to

**Board of Regents
Committee Intercollegiate on Athletics**

COVID-19 Health & Safety Measures

September 3, 2020



COVID-19 Health & Safety *Agenda*

- Policy Guidance and Collaboration
- UHM Athletics COVID-19 Protocols
- Staff and Student-Athlete Measures
- Testing
- Sport Status
- Communications
- Mental Health



COVID-19 Health & Safety Measures

Collaboration & Cooperation Among Entities

Mandates, guidance, resources, from governmental, conference, and other entities



- Student Health Center
- General Counsel
- COVID-19 Health & Wellness Working Group



- UHM Athletics COVID-19 Committee
- Student-Athlete Well-Being Committee
- Student-Athlete Advisory Council
- Mountain West medical team collaboration



Staff, team, facility health and wellness policies and practices

UHM Athletics represented by staff and/or student-athletes on number of University-level and conference-level working committees



COVID-19 Health & Wellness

Adhering to COVID-19 Protocols

- Face coverings
 - Required on lower campus per University policy
 - Worn at all times (even during athletic activity), except during active outdoor exercise with social distancing
 - Obtained face coverings from Under Armor designed for athletic activity
 - 635 face covering kits from the University (face masks, hand sanitizer, wipes & digital thermometer) made available to staff and student-athletes
- Social distancing and hand washing
 - Social distancing during indoor workouts (e.g., each basketball player has own ball and maintains distance from coaches and teammates)
 - Social distancing required outdoors with coaching staff monitoring players not actively involved
 - Hand sanitizers available at all practices and strength & conditioning workouts
 - Any time student-athletes change activity or stations, they wash their hands
- Stay at Home when sick
 - Staff and student-athletes are required to not come to campus if exhibiting any symptoms or have been exposed
- Cleaning
 - Following CDC, State DOH, and University protocols regarding cleaning
 - Cleaning protocols require additional time scheduled between groups to allow cleaning of facility between uses



COVID-19 Health & Safety Measures

Student-Athletes and Staff Measures

- Staff and student-athletes are required to complete both the University's Check In App and the UHM Athletics Screening Document (Google Form) prior to coming to campus
- Staff
 - Encouraged to work from home under approved work plans
- Student-athletes
 - Pre-Participation Exams (PPE) coordinated by Team Physician and Head Athletic Trainer must be completed prior to any activity
 - Must undergo temperature screening at the Training Room before athletic activities/use of facilities
- Practice plans
 - Each coach required to submit customized practice plans which must be approved by UHM Athletics COVID-19 Committee
- Facilities
 - Majority closed, including all locker rooms
 - Athletic Training room and Strength & Conditioning by appointment only





COVID-19 Health & Safety Measures

NCAA Testing Requirements and Protocols

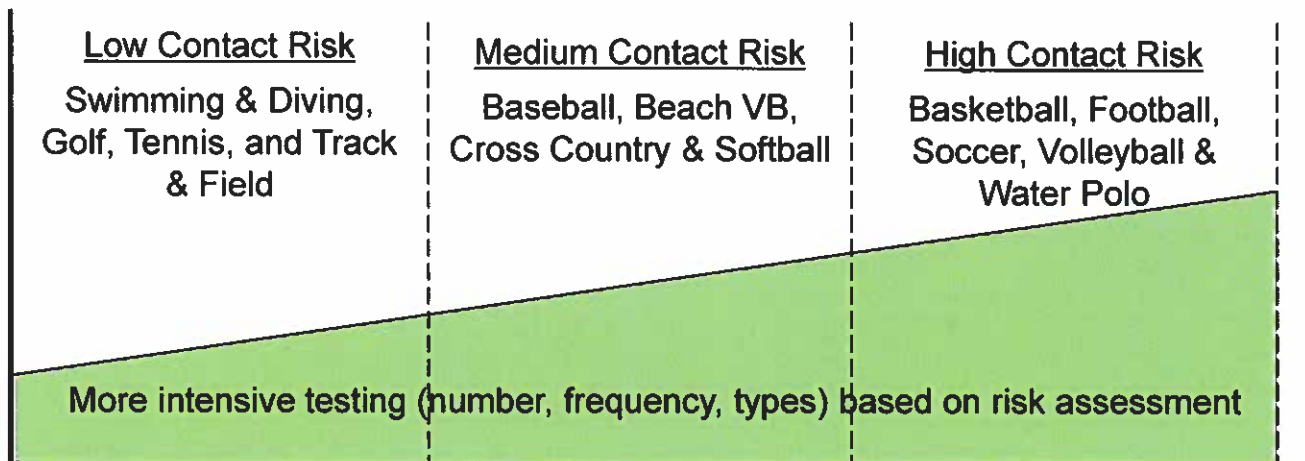
- Testing strategies should be implemented for all athletics activities, including pre-season, regular season and post-season
- Testing and results should be obtained within 72 hours of competition in high contact risk sports
- Testing methods:
 - Surveillance
 - “Diagnostic” / Screening
 - High Contact Risk
 - Symptomatic
- Symptomatic and High Contact Risk Testing is appropriate as long as social distancing can be maintained and face coverings are worn





COVID-19 Health & Safety Measures *UHM Athletics Testing Regime*

- Testing regime for UHM Athletics based on policies and guidelines from multiple entities
- Detailed plans developed for each sport depending on categorization into differing “risk” groupings
- Level and frequency of testing set for each sport based on risk assessment



- UHM Athletics available to discuss each sports’ testing regime in more detail as needed



COVID-19 Health & Safety Measures

UHM Athletics Testing to Date

- 373 tests conducted with 4 positives
- Most of tests have been “screening and surveillance”
- Community resources have provided rapid testing results, although this remains an area of potential challenge as the pandemic continues to evolve
- All testing has been nasal or NP swabs, PCR testing (meeting NCAA and national guidelines/recommendations)
- Rapid antigen testing continue to evolve and there are local options to add this type of testing to our protocols



COVID-19 Health & Safety Measures

Sport Status and Communication

- Sport status
 - Team activity and practices have been offered on a modified and limited bases in football, and men’s and women’s basketball only
 - Sports and all “non-traditional season” competitions that occur during the Fall term have been postponed
 - Working on plan how teams might practice and play “out of season” in coordination with NCAA and conference direction
- Communication and education
 - Frequent and two-way communications during COVID-19 conditions
 - Weekly or “as-needed” emails to coaches, staff and student-athletes with updates and direction
 - Periodic all departmental and coaches meetings (via Zoom)
 - Individual team meetings and activities by coaches
 - Surveys or other feedback loops for student-athletes
 - Providing educational information and resources on COVID-19
 - “Best practices” from other schools/conferences
 - University-provided resources
 - Athletic industry resources (e.g., LEAD1)



COVID-19 Health & Safety Measures

Mental Health During Pandemic

- As with much of medicine, a transition to increased usage of telemedicine has allowed continued services to student-athletes during the pandemic
- Debuting new agreement with TalkSpace this week, available to every UHM student-athlete
 - TalkSpace is a web-based platform which allows rapid access to an individual psychologist – each athlete upon sign up will be strategically paired with a psychologist who best fits his/her need
- Having rapid access to an individual psychologist for every student athlete helps especially during this pandemic, when mental health concerns globally are on the rise
- Additionally maintain relationships with multiple psychologists and mental health professionals who are able to provide telemedicine and in-person crisis care for the student-athletes





COVID-19 Health & Safety Measures

Summary

- To date, screening, personal protection policies (masking, social distancing, etc.) and testing policies have limited or even stopped community spread within athletics
- There remains a very high level of uncertainty going forward, resulting in an extremely broad range of contingency scenarios and contingency plans
- Continue to monitor available information from the CDC, Governor's Office, Department of Health, Mayor's Office, and the University and work with colleagues in the Big West and Mountain West Conference to implement best practices
- Remain in line with or exceed recommendations and guidelines across all levels in UHM Athletics' response to the coronavirus pandemic



  ***Mahalo***



University of Hawai'i Hilo Athletics

Presentation to

University of Hawai'i

Board of Regents

Committee on Intercollegiate Athletics

COVID-19 Student-Athlete Health & Safety Measures

September 3, 2020

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COVID-19 Student-Athlete Health & Safety Measures

- All Athletics Department policies related to COVID-19 align with institutional policies and all federal, state, local, CDC and NCAA/PacWest governing body guidelines
- The Core Principles for Mitigation of COVID risk safeguards that have been implemented are:
 - a. Screening:** UH app, temperature checks, symptoms, testing
 - b. Hygiene:** hand washing, surface washing/disinfection
 - c. Physical Distancing:** Stay at least 6 feet from others, avoid gathering in groups/crowds; and in all shared spaces there shall be protocol to provide at least 6 feet of separation between individuals
 - d. PPE:** Masks/face coverings for all for source mitigation, gloves for hands-on treatments
- Pre-participation PCR testing will take place on September 20 with plans on beginning practices for fall sports and spring sports on October 1. Winter sports will begin on October 15.
- Fall/Spring sports will have a 45-day practice window prior to holiday break.

COVID-19 Student-Athlete Health & Safety Measures

1. Facility Enhancements and Sanitation

- a. Signage
- b. Hand Sanitizer
- c. Disinfecting of Facilities and Equipment
- d. Isolation Room
- e. Doors to the Hall of Fame room and Athletics Business Office will remained locked at all times to reduce foot traffic and staff exposure.

2. Personal Hygiene and Social Distancing

- a. Facial coverings must be worn in all common areas at all times.
- b. Staff members do not need to wear a face covering while in their office space as long as proper physical distancing can be achieved.
- c. Wash hands with warm water and soap for 20 seconds at least 4 times during the day.
- d. Wash or sanitize hands before and after use of common area work stations (copier, common computers, printer, shredder, etc...).
- e. If possible, keep 6 feet between you and any other person at all times.

COVID-19 Student-Athlete Health & Safety Measures

2. Personal Hygiene and Social Distancing- Continued

- f. Do not engage in any greeting or departing gestures that involve physical touching.
- g. If you feel sick please stay home and do not return until you are cleared by a physician.

3. Practice Protocols

- a. Absolutely no CARA or voluntary athletic related activity will be allowed until Oct. 1
- b. All coaches and student-athletes will check-in daily with UH self-screening app to be cleared to arrive to campus.
- c. All coaches and SA's must take temperature check prior to the start of each practice.
- d. All equipment must be sanitized before and after practice.
- e. Facial coverings must be worn by all SA's before and after practice.
- f. During practice, SA's have the option of removing their face covering.
- g. Facial coverings must be worn by coaches at all times.
- h. Attendance for all coaches and SA's must be recorded at every session.

COVID-19 Student-Athlete Health & Safety Measures

4. Athletic Training Room Protocols

- a. Treatment/Rehab Process
- b. Training Room Sanitation

5. Athletic Weight Room Protocols

- a. All equipment will be sanitized before and after use.
- b. The entire weight room will be deep cleaned twice per day.
- c. Please be mindful of proper physical distancing while using the weight room.
- d. Facial coverings are optional while using the weight room.
- e. T-shirts will be required (no tank tops) in the weight room at all times. This is to minimize the amount of perspiration dripping on the equipment and on the floor.

6. Athletic Success Lab Protocols

- a. Facial coverings must be worn at all times while in the success lab.
- b. A maximum of 25 SA's will be allowed in the success lab at one time.
- c. Please check in with lab attendant upon entry.
- d. SA's will be required to sit 6 feet apart.

COVID-19 Student-Athlete Health & Safety Measures

7. Testing Plan for Sport Classification per NCAA Guidelines

- a. NCAA Definitions for UHH: **Low contact risk**: golf, tennis; **Medium contact risk**: baseball, cross country and softball; **High contact risk**: basketball, soccer and volleyball.
- b. Scenarios Presenting Low Contact Risk
 - i. Diagnostic testing pre-arrival to campus.
 - ii. During voluntary, out of season and non-championship season athletic activities: surveillance testing in conjunction with a university plan for all students, plus additional testing for symptomatic and high contact risk individuals.
- c. Scenarios Presenting Medium Contact Risk
 - i. Diagnostic testing pre-arrival to campus.
 - ii. During voluntary, out-of-season and non-championship athletic activities: surveillance PCR testing, for example, testing 25-50% of athletes and “inner bubble” personnel every two weeks if physical distancing, masking and other protective features are not maintained, plus additional testing for symptomatic and high-contact risk individuals.
 - iii. During regular season schedule bi-weekly testing and surveillance PCR testing as needed.

COVID-19 Student-Athlete Health & Safety Measures

7. Testing Plan for Sport Classification per NCAA Guidelines- Continued

- d. Scenarios Presenting High Contact Risk
 - i. Diagnostic testing pre-arrival to campus.
 - ii. During voluntary, out of season, and non-championship athletic activities: Surveillance PCR testing, for example, 25-50% of athletes and “inner bubble” personnel every two weeks if physical distancing, masking and other protective features are not maintained, plus additional testing for symptomatic and high contact risk individuals.
 - iii. During regular season schedule weekly testing and surveillance PCR testing as needed.

Mahalo Nui Loa!





University of Hawai'i at Mānoa Athletics

Presentation to

Board of Regents
Committee on Intercollegiate Athletics

UHM Athletics Financial Update

September 3, 2020



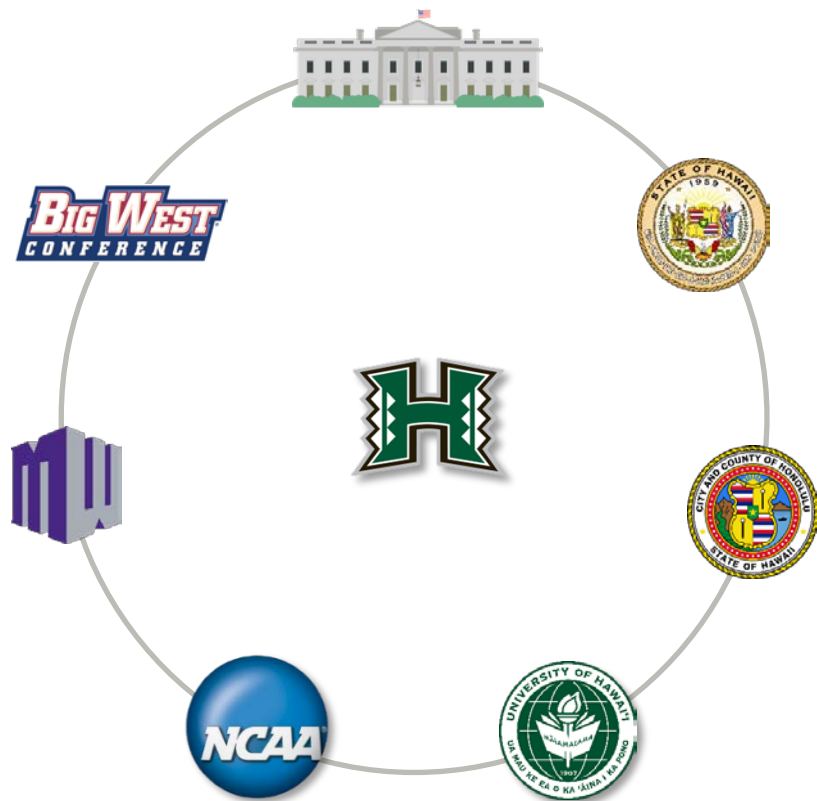
Financial Agenda

- Financial Projections With Pandemic
- Student Athletic Fees



Adjusting for COVID-19

Playing Games Biggest Impact to UHM Athletics







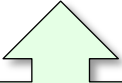
- Whether games will be allowed to, or can, be played, is the most impacting factor to UHM Athletics' budget
 - Playing of games impacts multiple significant revenue streams
- Drivers for whether games will be played or not are environmental conditions and policy set by entities external to UHM Athletics



UHM Athletics Sports

Current Playing Status

Conference Affiliation	Sport Season		
	Fall	Winter	Spring
	Football (M) Announced 8/10/2020		
	Cross Country (W) Soccer (W) Volleyball (W) Announced 7/29/2020	Basketball (M) Basketball (W) Track & Field Indoor(W)	Baseball (M) Golf (M) Golf (W) Tennis (M) Tennis (W) Volleyball (M) Beach Volleyball (W) Softball (W) Track & Field Outdoor (W) Water Polo (W)
		Swimming & Diving (M) Swimming & Diving (W)	
			Sailing (W) Coed Sailing

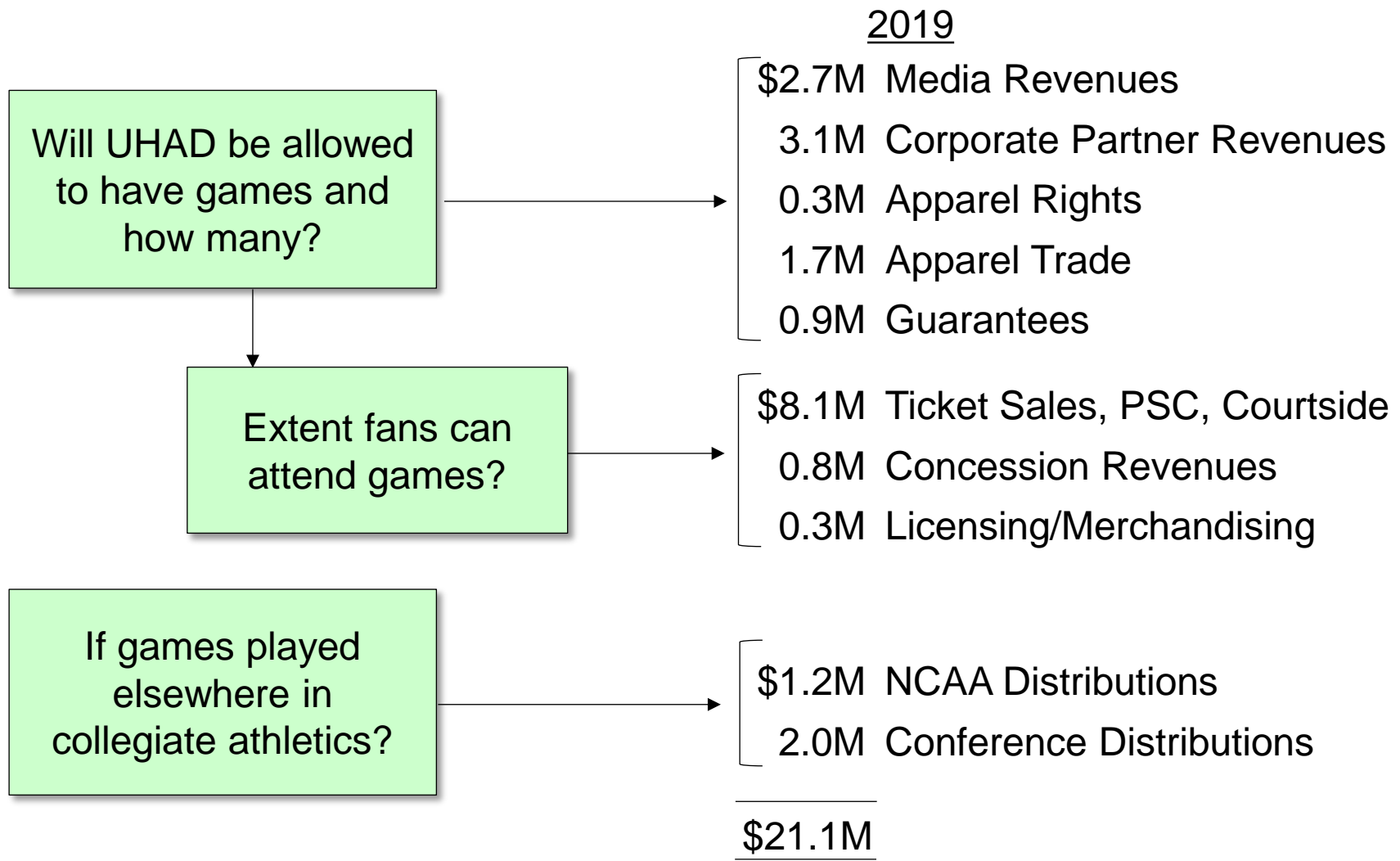

 TBD whether postponed sports will play later in year



Adjusting for COVID-19

Playing of Games

Playing of Games Impacts Multiple Significant Revenue Streams






Strategic Planning

Baseline With Five Years

Based on direction provided by UH Budget Office, reflect reduction to General Fund revenues of 16%

	Baseline No COVID 2019	Impacted by COVID 2020	2021
Revenues	\$40.3M	\$38.4M	\$32.9M
Expenses	(43.2M)	(42.8M)	(42.2M)
Net @ 16%	(\$2.9M)	(\$4.4M)	(\$9.3M)

- 
- Assumes no WVB
 - Loss of \$1.4M in FB guarantees
 - No seat premium revenues

Projected 2021 results do not reflect mitigation actions currently under evaluation and that may be implemented



Early Impacts / Actions Announced by Others

Examples

Pandemic conditions continue to be fluid, programs are constantly re-evaluating budgets and actions

School	Affiliation	Announced Impact / Actions
Stanford	Pac 12	<ul style="list-style-type: none">• Estimated \$25M deficit for current year and \$70M over the next three years• Eliminated 11 sports and 20 staff positions
Wisconsin	Big 10	<ul style="list-style-type: none">• Projected \$100M loss• Anticipates pay decreases, work share furloughs, and freezes on hiring and travel
Boise State	Mountain West	<ul style="list-style-type: none">• Projected \$20M loss• Eliminated 3 sports and furloughed most employees for 3 months and coaches & staff for 10 days
Nevada	Mountain West	<ul style="list-style-type: none">• Projected deficit of more than \$10M• Staff reduced by 20 positions
Colorado State	Mountain West	<ul style="list-style-type: none">• Without FB, projecting loss of \$16M

Timing of schools' announcements above may result in assumptions built into projections differing



Early Actions by UHM Athletics

- Adjusted sport competition schedules to reduce games and travel, to the extent allowed by NCAA and conference requirements - - reduces travel costs, guarantees and “game day” costs
- Reduced team travel group size for “away” competitions
- Froze hiring of full-time replacement or new positions
- Eliminated several “casual hire” positions
- Eliminated/reduced student help hours
- Combined Beach Volleyball program into Women’s Volleyball program to allow for savings
- Eliminated travel for recruiting (i.e., virtual recruiting only) during pandemic conditions
- Initiated discussions with various foundations and other donor organizations for possible increased support to help offset pandemic impacts
- Reduced student-athlete supplemental meal program during pandemic
- Changed travel policies to require less costly ground transportation at away games
- Reduced cost for student “team managers” by decreasing the amount of scholarships provided

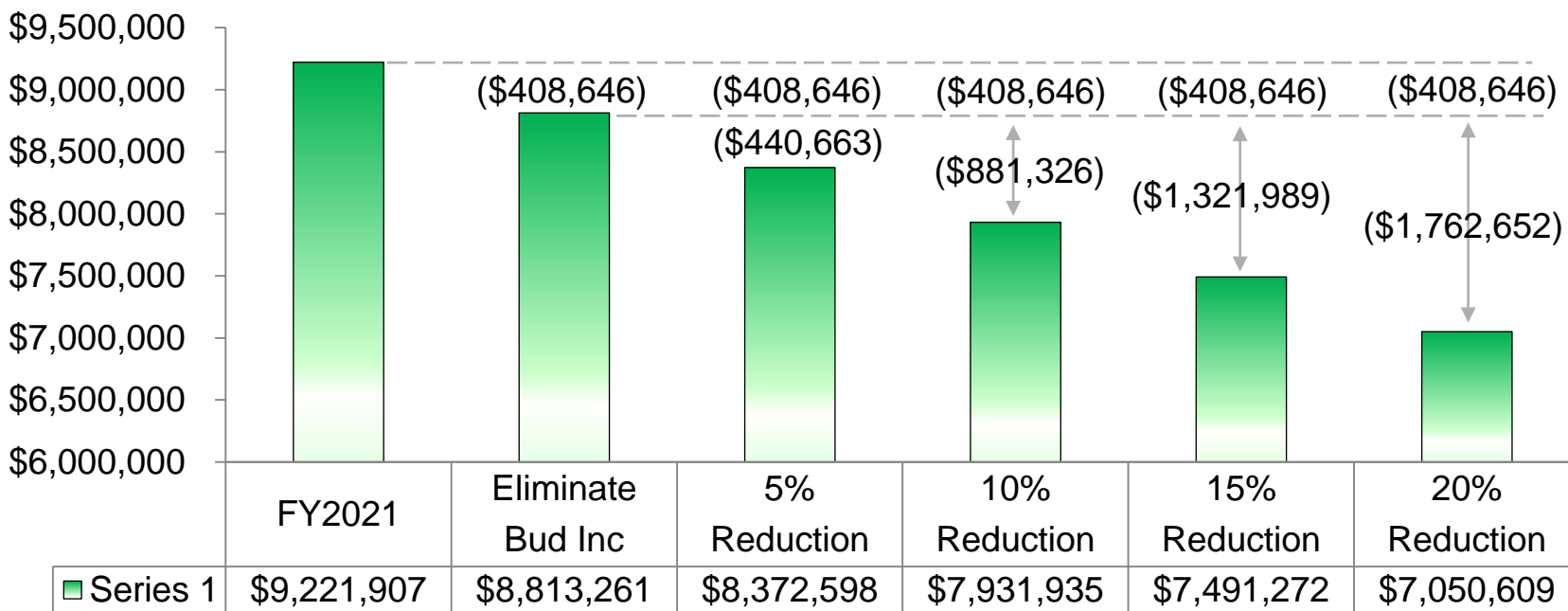


Other Actions Under Consideration

Example: Labor & Benefits Contingency Scenarios

- UHM Athletics continuing to evaluate other actions in response to COVID-19
- Example: Scenarios for labor and benefit adjustments developed. Any labor and benefits adjustments will be coordinated with other State and/or University actions.

Exec/APT/UPW/Casual Labor & Benefits



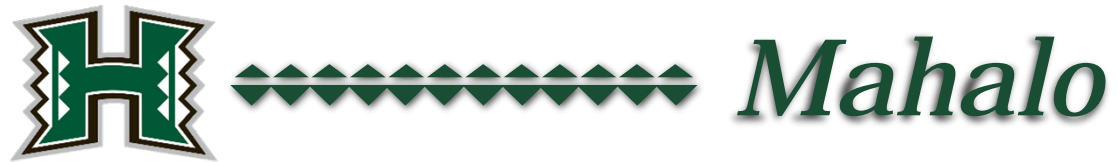


Student Athletic Fee

Application and Adjustments Consistent With University

	<u>Baseline 2019</u>	<u>2020 COVID-19 Impacted Assessed</u>	<u>Refunded</u>
Student Athletic Fee	\$1.6M	\$1.5M	\$0.3M

- Student athletic fee
 - \$50.00 per semester; unchanged since established in 2011
 - Meant to provide general support of the athletic program; certain benefits (e.g., complimentary admission to events) provided to students
 - Fee and revenues raised are very low compared to peers (e.g., Hawai'i last in fee and revenues raised among Mountain West Conference peers)
- FY2020
 - Based on suspension of sports mid-Spring season, partial refund provided to students (based on pro rata computation)
- FY2021
 - Student athletic fees to be assessed and any adjustments, if required, will be made consistent with University practices with other fees charged to students



Item IV.B.1

Committee's Role in
Monitoring and Overseeing
the Athletics Program in the
Context of COVID-19

DISCUSSION ITEM
NO MATERIALS

Committee on Intercollegiate Athletics
Work Plan for the 2020-2021 Academic Year

	Committee duties per bylaws	2020-2021 Committee Goals and Objectives	Projected Timeline			
			1 st Q	2 nd Q	3 rd Q	4 th Q
1	Serve as a liaison between the Board and the respective campuses and their athletic departments.	Coaches Corner		X	X	X
		Athletics Forecast Summer 2021-Fall 2021				X
2	Advise the Board regarding its responsibility to oversee: (a) The health, safety and academic progress of student-athletes; (b) Fiscal integrity and budgetary concerns; (c) Compliance with NCAA and conference requirements; and (d) Any event or situation that may draw unusual public interest to the athletics program, a particular team, student athlete, or department employee.	Review and monitor the health and safety of student athletes; COVID-19 (COVID) updates	X	X	X	X
		Review annual athletic department budget/audit and financial integrity of the athletic department; updates on Student athletic fees	X	X	X	X
		Review and monitor compliance with NCAA and conferences' requirements and policies; COVID updates	X	X	X	X
		COVID impact on programs and scheduling (a) Status of all sport programs (b) Plans for Winter Sports; Spring Sports; Fall/Winter Sports carryover to Spring; updates	X	X	X	X
		Facilities update; Aloha Stadium update			X	
3	Review annual reports on the academic standing and progress of student athletes, including, but not limited to, the Academic Progress Rate report.	Review Student Academic Standing and Progress Reports				X
4	Recommend policies governing all aspects of Intercollegiate Athletics at the University.	Title IX Compliance Update				X
		Booster Club Support and Fan Outreach		X		
		Name, image, Likeness policies status		X		

5	Committee Governance	Review and adopt committee work plan	X			
		Review committee's work for the year				X

[§304A-2176] University of Hawaii at Manoa intercollegiate athletics special fund and University of Hawaii at Hilo intercollegiate athletics special fund. Notwithstanding any other law to the contrary, there are established the University of Hawaii at Manoa intercollegiate athletics special fund and the University of Hawaii at Hilo intercollegiate athletics special fund for the intercollegiate athletic programs of the University of Hawaii at Manoa and the University of Hawaii at Hilo, which shall be used to receive, deposit, disburse, and account for funds from the activities of the intercollegiate athletic programs. The university may establish appropriate charges for activities related to its athletic programs and the use of its athletic facilities, the proceeds from which shall be deposited into these special funds.

The university shall maintain the financial integrity and viability of these special funds, including the maintenance of an adequate reserve to cope with the various factors that impact the revenue structure of an intercollegiate athletic program. [L 2006, c 75, pt of §2; am L 2011, c 124, §8]

Revision Note

Section was renumbered from §304A-2261 pursuant to §23G-15.



Regents Policy Chapter 7, Student Affairs

Regents Policy RP 7.208, Intercollegiate Athletics

Effective Date: February 20, 2020

Prior Dates Amended: Oct. 17, 1963; July 16, 1974; Oct. 20, 1978; Dec. 12, 1986; Aug. 23, 1996; Oct. 31, 2014 (recodified)

Review Date: August 2023

I. Purpose:

Well-managed intercollegiate athletics competition, conducted under the fundamental principles of fair play and amateurism, is of educational value to student-athletes as well as a source of pride and unity to the wider student body, faculty, staff, and all those in our community who cherish and support the University of Hawai'i.

II. Definitions:

None.

III. Policy:

Responsible administration and oversight are fundamental to the management of intercollegiate athletics. Each campus that participates in intercollegiate athletics must have in place written procedures to provide careful and thorough scrutiny of its sports programs and deliver required information to ensure appropriate oversight.

Overall leadership of intercollegiate athletics will be taken into account in the annual evaluations of the chief executive officer of the University of Hawai'i at Mānoa (UHM CEO) or the chancellor of the University of Hawai'i at Hilo (UHH Chancellor).

Campuses shall establish standards and benchmarks against which the success of its intercollegiate athletics program may be assessed.

A. Guiding Principles for Intercollegiate Athletics

1. Health and safety

The health and safety of student-athletes shall be the highest priority of the entire athletics program.

2. Commitment to academics

Student-athletes are first and foremost students. Student-athletes shall be admitted under the same standards as applied to other students and their academic performance and progress shall be comparable to non-athletes.

Contracts for coaches and other athletics department staff will include expectations for the academic as well as athletic success of student-athletes.

3. Equal opportunity

Gender equity in athletics shall be respected and honored, and athletics programs shall be operated in compliance with Title IX, the Patsy T. Mink Equal Opportunity in Education Act.

4. Compliance with NCAA and conference requirements

The UHM CEO and UHH Chancellor are responsible for compliance with all National Collegiate Athletic Association (NCAA) and conference rules and regulations, and he or she will promptly notify the president, who shall inform the chairperson of the board, of all major NCAA infractions (Level I or II), and of all NCAA or conference investigations into all major NCAA infractions (Level I or II).

The use of performance enhancing drugs or prohibited substances undermines the integrity of intercollegiate athletics and may harm the individual student-athlete. The president will develop and institute a drug and prohibited substances testing policy in accordance with NCAA rules and applicable state and federal law. Performance enhancing drugs and prohibited substances include but are not limited to the classes of drugs and related substances banned by the NCAA or prohibited by law.

5. Broad and enthusiastic campus and community support

Enthusiastic campus and community support, especially that of students, is a prime indicator of a successful athletics program. The athletics program and campus leadership should proactively reach out to students and faculty as well as to the wider community to encourage interest in and support for intercollegiate athletics.

B. Board of Regents Oversight

1. Board approval shall be necessary to establish or abolish an entire intercollegiate athletic program on a particular campus.
2. The board shall be kept aware of the overall state of intercollegiate athletics programs through regular reports on academic, compliance, and financial issues including but not limited to:
 - a. student-athlete health and welfare;
 - b. gender equity/Title IX;
 - c. academic standing and progress of student-athletes; and

- d. overall financial condition.
 3. The board shall be notified by the president or the president's designee of events or situations that might reasonably be expected to draw unusual public attention to the athletics program, a particular team, a student-athlete, or a department employee.
 4. The board shall be notified by the president or the president's designee of events or situations that might reasonably be expected to have a significant negative impact on financial performance.
- C. Responsibilities of the UHM CEO and UHH Chancellor
1. Each intercollegiate athletics program shall develop a mission statement, approved by the UHM CEO and UHH Chancellor, respectively, that reflects the values of the University of Hawai'i. Annual plans and budget for athletics shall contain realistic and measurable goals that advance the mission.
 2. Financial management
 - a. Transparency in financial reporting is mandatory.
 - b. The campus athletics department will prepare an annual budget. Should the athletics department end a fiscal year in a deficit, meaning that total expenses exceed total revenues, including institutional support and student fees, this shall be noted in the annual financial report of the campus along with plans to reconcile the deficit and to account for its costs. The UHM CEO or UHH Chancellor may eliminate a deficit of their respective athletics department by providing funds from other sources, as permitted by law, to offset such a deficit.
 - c. To the extent allowable under NCAA regulations, the UHM CEO or UHH Chancellor may exempt the nonresident portion of tuition for nonresident student-athletes, graduate assistants, and team managers in accordance with Regents Policy 6.208.
 - d. All funds or gifts, either monetary or in-kind, generated by the athletics department booster organizations or contributed by individuals, corporations, or other entities to support an intercollegiate athletics program shall be channeled through the University of Hawai'i Foundation or 'Ahahui Koa Ānuenuē, both of which have 501(c)(3) status, unless otherwise approved by the president. Funds or gifts shall be used in accordance with the donor's intent, and shall be subject to all applicable policies, procedures, and regulations.
 - e. An external audit of "Agreed-Upon Procedures" will be conducted at least as frequently as required by the NCAA and furnished to the board.

3. The UHM CEO or UHH Chancellor may convene an Athletic Advisory Board in accordance with NCAA bylaws to advise the UHM CEO or UHH Chancellor and athletics director on policies and matters relating to the conduct of intercollegiate athletics on campus and to perform other functions as may be stipulated by the NCAA, by a conference to which the institution belongs, or as assigned by the UHM CEO or UHH Chancellor.
4. The UHM CEO or UHH Chancellor shall appoint a faculty athletics representative to perform such functions as may be stipulated by the NCAA, by a conference to which the institution belongs, or as assigned by the UHM CEO or UHH Chancellor.

IV. Delegation of Authority:

The board delegates to the president, UHM CEO, and UHH Chancellor the authority to carry out the actions set forth in this policy, except as reserved by the board.

V. Contact Information:

Office of the Board of Regents, 956-8213, bor@hawaii.edu

VI. References:

- <http://www.hawaii.edu/offices/bor/>

Approved as to Form:

Kendra Oishi
Executive Administrator and
Secretary of the Board of Regents

Date



Regents Policy Chapter 9, Personnel

Regents Policy RP 9.202, Classification Plans and Compensation Schedules

Effective Date: June 7, 2018

Prior Dates Amended: Jan. 16, 1958; Dec. 2, 1959; Oct. 11, 1962; Sept. 10, 1964; Apr. 16, 1969; Aug. 19, 1969; Mar. 14, 1974; Dec. 12, 1974; Dec. 11, 1975; July 15, 1976; Dec. 9, 1976; Jan. 16, 1977; June 16, 1977; July 14, 1977; Apr. 20, 1978; Oct. 20, 1978; Dec. 7, 1979; Jan. 10, 1980; Oct. 17, 1980; Dec. 5, 1980; Feb. 5, 1981; June 18, 1981; Oct. 16, 1981; Feb. 19, 1982; Oct. 22, 1982; Sept. 30, 1983; Nov. 18, 1983; Mar. 16, 1984; July 27, 1984; June 21, 1985; Sept. 20, 1985; June 20, 1986; July 25, 1986; July 24, 1987; Sept. 18, 1987; Oct. 16, 1987; Nov. 20, 1987; May 20, 1988; Oct. 21, 1988; Nov. 18, 1988; Feb. 17, 1989; Sept. 15, 1989; Nov. 17, 1989; Feb. 16, 1990; Apr. 20, 1990; Oct. 19, 1990; Nov. 16, 1990; June 21, 1991; Sept. 20, 1991; Feb. 21, 1992; June 19, 1992; July 17, 1992; Mar. 19, 1993; Sept. 17, 1993; Oct. 21, 1994; Aug. 23, 1996; June 20, 1997; Nov. 14, 1997; Jan. 16, 1998; Apr. 17, 1998; Jan. 21, 2000; Feb. 18, 2000; Apr. 20, 2000; June 16, 2000; Aug. 11, 2000; Aug. 15, 2000; Apr. 20, 2001; Jan. 18, 2002; Mar. 15, 2002; June 2002; Oct. 18, 2002; Mar. 14, 2003; Apr. 17, 2003; May 16, 2003; Nov. 21, 2003; May 18, 2006; Aug. 2006; Mar. 15, 2007; July 26, 2007; Sept. 2007; Nov. 15, 2007; Feb. 15, 2008; May 29, 2008; Sept. 2008; Nov. 21, 2008; Oct. 31, 2014 (recodified); June 1, 2017

Review Date: August 2020

I. Purpose:

To set forth policy on classification plans and compensation schedules.

II. Definitions:

No policy specific or unique definitions apply.

III. Policy:

- A. Except for civil service positions, the board shall classify all positions in the university and establish compensation schedules as appropriate.
- B. The president, with the exception of select undelegated executive managerial personnel, is authorized, consistent with existing statutes and board policies, to grant special salary adjustments in situations where funds are available and the adjustments are warranted on the basis of retention, market, equity, and/or merit.
- C. Executive and managerial positions are classified and compensated in accordance with the executive and managerial personnel policies in RP 9.212.
- D. Compensation shall be in accordance with provisions reflected in the most current collective bargaining agreement negotiated between the university and the exclusive collective bargaining representative. In the event that the faculty member is not subject to collective bargaining, the president shall have the authority to establish compensation guides.

- E. The classifications of faculty positions in the university shall be as provided below.
1. Section 304A-1002, Hawai'i Revised Statutes, provides that "The board of regents shall classify all members of the faculty of the university including research workers, extension agents, and all personnel engaged in instructional work...."
 2. The president is delegated the authority to establish a faculty classification plan, administer the plan, and make amendments to the plan, provided that any new faculty categories or permissible campus faculty groups shall be subject to prior approval of the board.
 - a. The plan may include the following faculty categories: Instruction ('I' for all faculty excluding law and clinical medicine faculty; J for law; M for clinical medicine; and C for community colleges); Researcher (R), Specialist (S), Librarian (B), Extension Agent (A), Graduate Teaching Assistant, Lecturer, Visiting and Other Faculty and Non-compensated Faculty.
 - b. At a minimum, the faculty classification plan shall include general statements of duties and responsibilities and minimum qualification requirements.
 - (1) When the situation warrants, and especially in those fields where advanced degrees are not commonly held by faculty members, other evidences of scholarly, artistic or professional attainment may be accepted in lieu of advanced degrees. In general, "equivalents" will be used sparingly and only when there is clear evidence that the substituted items of training and experience are in fact equivalent in qualifying the faculty member for the individual's duties and responsibilities.
 3. Titles of positions are determined by the board, and no faculty member may use any title not specifically authorized. Members of the faculty in divisions other than instruction, when engaged in teaching, shall bear the instructional title appropriate to their grade.
 4. University of Hawai'i at Mānoa classification schedules.
 - a. The board faculty classification system includes seven general categories for the University of Hawai'i at Mānoa with grades within each category.
 - (1) Instruction ('I' for all faculty excluding law and clinical medicine faculty; J for law; M for clinical medicine), includes graduate teaching assistants, instructors, assistant professors, associate professors, and professors.

- (2) Researcher (R), includes junior researchers, assistant researchers, associate researchers, and researchers. When applicable, the R series title substitutes the special area for the word “researcher,” for example, “assistant agronomist,” “associate meteorologist,” or “plant pathologist.”
 - (3) Specialist (S), includes junior specialists, assistant specialists, associate specialists, and specialists. The S series is used for specialties not primarily involved with research, for example, “associate specialist in student personnel.”
 - (4) Librarian (B), includes ranks II to V.
 - (5) Extension agent (A), includes junior extension agents, assistant extension agents, associate extension agents, and county extension agents.
 - (6) Graduate teaching assistant.
 - (7) Lecturer includes persons employed for short-term teaching assignments, usually on a part-time basis.
- b. Clinical titles for non-compensated faculty appointments in Health Science and Social Welfare.
- (1) The titles clinical professor, associate clinical professor, assistant clinical professor, clinical instructor and clinical teaching assistant are non-compensated appointments in the Colleges of Health Sciences and Social Welfare (medicine, nursing and dental hygiene, and social work) for practitioners with professional qualifications in the health and welfare sciences who take an active role in formal teaching, tutorials, clinical instruction, hospital practice, or field guidance of students.
5. University of Hawai‘i at Hilo and University of Hawai‘i, West O‘ahu
- a. The faculty classification system includes three categories for the University of Hawai‘i at Hilo and the University of Hawai‘i, West O‘ahu, with grades within each category:
 - (1) Instruction (‘I’ for all faculty), includes graduates teaching assistants, instructors, assistant professors, associate professors, and professors.
 - (2) Lecturers include persons employed for short-term teaching assignments, usually on a part-time basis.

(3) Affiliate faculty is a non-compensated appointment usually to professional personnel with a particular interest or capability which may contribute to the teaching or research program of the campus; except for occasional lectures or consulting with individual students, affiliate faculty do no teaching. Authority to appoint affiliate faculty is delegated to the president who shall promulgate policies and procedures relating to the selection and appointment of affiliated faculty.

6. Community College and Maui College classification schedule

a. The faculty classification system includes one category for the community colleges and Maui College with grades within each category:

(1) Instruction includes lecturers, instructors, assistant professors, associate professors, and professors.

b. The plan may include statements of classification principles for use in the classification of community college faculty.

F. High Demand Disciplines.

1. The president is delegated the authority to establish high demand academic disciplines for which recruitment and/or retention of faculty of quality desired by the university exceed the maximum of the appropriate salary schedule.

2. The president is authorized to recruit faculty in the recognized high demand disciplines at salaries that exceed the maximum of the appropriate salary schedule.

G. Graduate Assistants.

1. The president shall have the authority to establish, amend, and administer a classification and compensation plan for graduate assistants.

H. Administrative, Professional and Technical (APT) Positions.

1. APT classification and pay system.

a. For all APT positions, including athletic coaches and related administrators, the board delegates to the president the authority to:

(1) Adopt, revise, and abolish career group standards and bands.

(2) Assign positions to career groups and bands.

- (3) Determine designated new hire rates for career groups and bands.
 - (4) Promulgate policies and procedures relating to the classification, compensation, and appointment terms of coaches and related administrators, including a salary schedule, in accordance with this policy.
- b. The APT Appeals Board shall adjudicate appeals filed on the banding of individual positions. The Appeals Board shall support its decisions by findings based on fact.

The APT Appeals Board shall consist of three members serving staggered terms of three years. One member shall be recommended by the university and one by the exclusive representative of APT employees, in accordance with Chapter 89, Hawai'i Revised Statutes. The third member shall be recommended by the university and exclusive representative. The appointment of all three members shall be referred by the president to the board for approval. If there is no agreement as to the third member, the board shall appoint such member.

Members of the APT Appeals Board shall be familiar with state organization and personnel functions and preferably have knowledge of university organization and functions and position classification. Such members may be excluded personnel or members of other governmental or private firms. However, they shall not be employees or officers of the university or of any state bargaining unit or employee organization which represents state bargaining unit members unless mutually agreed to by the parties concerned.

The members of the APT Appeals Board shall select a chairperson.

(Note: For amended listing of the APT career groups and pay bands, refer to Administrative Procedure 9.210 of the University of Hawai'i Systemwide Administrative Procedures Manual.)

2. Athletic Coaches and Related Administrators

a. Definitions

Original Term: The term of the initial contract at the time the contract is entered into. Where there is an Original Term with no extension, the Original Term shall be the Existing Term.

Existing Term: The remaining time period for any contract term at any point in time.

Amended Term: The time period that is established as a result of a contract extension that combines (1) that portion of an Original or Existing Term that remains to be completed; and (2) the term of the extension beyond that Original or Existing Term. Any years that have already been completed shall not be included for purposes of calculating the Amended Term.

b. Approval

i. Board of Regents

Upon recommendation of the chancellor and the president, the approval of the chair or vice chair of the Board of Regents and the chair or vice chair of the Committee on Intercollegiate Athletics shall be required for:

- (1) Original Terms of head coaches of more than 5 years;
- (2) Amended Terms of head coaches of more than 5 years; or
- (3) Appointments, extensions and salary adjustments for head coaches, non-head coaches, and administrators exceeding the salary schedule by more than twenty-five percent (25%) and/or exceeding \$500,000 annually.

ii. Delegation to the president

I. The authority to approve all other appointments and compensation of head coaches, non-head coaches, and administrators is delegated to the president, which may be further delegated. Civil service employees in positions in the university subject to Chapter 76, Hawai'i Revised Statutes, shall be appointed, compensated, and otherwise governed by the provisions of law applicable to such positions.

J. Special Compensation – University of Hawai'i at Mānoa and University of Hawai'i at Hilo faculty.

1. Visiting summer session faculty. Visiting summer session faculty members receive a travel differential in addition to salary. The differential is incorporated in the salary of such faculty members and is as follows:

Pacific Coast	\$300.00
Midwest	\$400.00
East Coast	\$500.00
Asia or Europe	\$700.00



AGB STATEMENT ON
BOARD RESPONSIBILITIES
FOR INTERCOLLEGIATE
ATHLETICS

Originally approved by AGB's Board of Directors in 2007, this policy statement is dedicated to Myles Brand (1942-2009), who served as president of the National Collegiate Athletic Association from 2003 to 2009. Through his leadership of the NCAA, Dr. Brand championed both the welfare and academic success of student athletes and the sound management of intercollegiate athletics programs. His practical understanding of the value of governing boards and institution presidents working together to guide intercollegiate athletics remains essential to the AGB statement. This policy statement is emblematic of Dr. Brand's unwavering dedication, which strengthened all of higher education.

Introduction

Since the AGB Board of Directors adopted a “Statement on Board Responsibilities for Intercollegiate Athletics” in 2004, the academic and intercollegiate athletics communities have viewed the document as a valuable guide to help governing boards appropriately exercise their oversight responsibilities in college sports. The statement clearly describes the role of boards in achieving the critical goal of integrating intercollegiate athletics within the educational context of higher education.

In 2007, the AGB board adopted a “Statement on Board Accountability,” which encourages boards and chief executives to examine the clarity, coherence, and appropriateness of their institutions’ governance structures, policies, and practices. The document asserts core principles of board accountability and responsibility in such areas as fiscal integrity, board performance, and educational quality—areas that surely encompass the board’s oversight responsibilities for intercollegiate athletics.

Over the last few decades, intercollegiate athletics have enjoyed an enormous increase in popularity at all levels of competition. While greater public exposure has been a boon to the enterprise and exciting for athletes and fans alike, the focus of attention on college sports is as likely to concern scores and standings as it is inappropriate behavior or rules violations. Clearly, the impact of intercollegiate athletics on the higher education experience has challenged those responsible for leading America’s colleges and universities.

Central to any efforts aimed at aligning intercollegiate athletics more closely with the educational mission of colleges and universities is the responsibility of governing boards to hold those charged with administering these programs accountable to high standards. In the time since the AGB Board of Directors commended the 2004 statement of principles and guidelines to its members, the expectations of the public, elected officials, and the news media for institutional accountability have continued to heighten.

In 2007, the AGB Board of Directors adopted a revised statement to reinvigorate efforts on the part of governing boards to align intercollegiate athletics with the mission, vision, and values of higher education. This document is meant to encourage and guide discussion and action where it may be needed.

While most of what transpires in college athletics is positive, there is a growing sense among academic leaders, the news media, and the public that our society glorifies athletic accomplishment far more than academic achievement. At some colleges and universities, intercollegiate athletics programs may be detracting from the institution’s mission. What’s more, the increasingly commercialized nature of major sports at the highest competitive levels and a widening gulf between the athletic and academic cultures at some institutions and in some communities have negatively affected the reputation and public standing of higher education as a whole. Restoring balance between sports and education continues to be elusive. If efforts to achieve an appropriate balance are to succeed, governing board members will need to lend consistent and public support to their chief executives and academic leaders who are at the forefront of such discussions.

Although presidents and chancellors have always been essential to athletics reform efforts, only recently have governing boards been asked to address the issues more actively. Given their responsibilities for ensuring the academic integrity and reputation of the institutions they serve, boards should be engaged in the search for balance. Further, because board members occasionally have been associated with problems in some prominent football and basketball programs, it is time for all boards to reexamine how they exercise their oversight responsibilities.

This statement of principles and guidelines applies most directly and urgently to institutions with major football and basketball programs, but it also is intended to help trustees and academic leaders whose institutions compete at all division levels. Certainly, the applicability of many sections will vary from one institution to another. Some may find the statement's numerous suggestions to be daunting, but the intent is for boards and presidents to use them selectively rather than comprehensively. Strong voices are needed to express a clear philosophical and moral position on the core issues.

This statement addresses eight areas of board engagement: (1) general oversight responsibilities, (2) presidential leadership, (3) athletics department mission, (4) fiscal responsibility, (5) academics and student-athlete welfare, (6) compliance, (7) personnel, and (8) communications.

The Illustrative Policy on Intercollegiate Athletics for Boards and Presidents, adopted April 2009, was developed in consultation with institution presidents, representatives of the National Collegiate Athletic Association (NCAA), and AGB board and staff members. It is intended to guide the crafting of specific policies on intercollegiate athletics, policies that spell out the leadership roles and oversight responsibilities of the board, president, and athletics department. Safeguarding the well-being of student athletes and properly integrating intercollegiate athletics into higher education are the ultimate goals of these policies.

The AGB Board of Directors hopes this document will encourage and guide discussion and action where it may be needed.

GENERAL OVERSIGHT RESPONSIBILITIES

The board's responsibility to review and monitor policies and practices concerning intercollegiate athletics is as essential as it is for other institutional endeavors. Boards and chief executives cannot wait until a scandal unfolds to motivate their interest in these complex matters, nor should board oversight be ceded to a small cadre of interested members. That intercollegiate athletics can attract, generate, or lose large sums of money and often is the institution's most visible component compels institutional leaders to pay close attention. Consequently, boards should exercise appropriate oversight while avoiding micromanagement, viewing athletics with a dispassionate perspective.

Central to board oversight is to call for the athletics department to embody the proper tone, direction, and values consistent with the academic mission of the institution. With this expectation in mind, boards periodically should review program standards and values. To do so effectively, trustees must be willing to engage campus leaders in focused discussions.

- ◆ Boards should be confident that the institution's chief executive, academic leaders, and athletic leaders have set appropriate standards of accountability and benchmarks against which to evaluate the success of the intercollegiate athletics program. These standards and benchmarks should encompass such areas as finances, admissions, student-athlete welfare, academic advising, graduation rates, facilities, capital expenditures, and conflict-of-interest policies.
- ◆ Boards should consider and identify the appropriate board structure to help it meet its oversight responsibilities. For example, more than one standing committee may have oversight responsibilities for various aspects of the intercollegiate athletics program. These may include the finance or budget committee, the student affairs committee, or the compensation committee. Alternatively, some institutions might find a standing or advisory committee on athletics may be most effective. The discussion on page 12 may be helpful.
- ◆ Boards should be informed about the impact of intercollegiate athletics on the campus culture in all areas, including admissions, social life, academic values, student-body composition, and fan conduct and atmosphere at campus events.
- ◆ The orientation program for all new board members should include a review of the issues related to intercollegiate athletics. Key elements of such a program might include discussions regarding the relationship between athletics and institutional mission, the impact of intercollegiate athletics on campus culture, the academic profile of athletes compared with other students, the institution's financial commitment to athletics, the relationship to the athletic conference to which the institution belongs, and NCAA rules that apply to boards and trustees.
- ◆ Boards should establish policies specifying the benefits they may appropriately accept from the athletics department.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Should our board have a standing or advisory committee on athletics, or should it delegate various responsibilities related to intercollegiate athletics to the appropriate existing standing committees?
 2. If a separate committee on athletics exists, what is that committee's appropriate charge? How should membership on such a committee be determined?
 3. Does our institution orient trustees to their responsibilities concerning intercollegiate athletics? What does this program include?
 4. Do all internal and external constituencies understand that the governing board has delegated to the president full authority over intercollegiate athletics?
-

PRESIDENTIAL LEADERSHIP

Boards should delegate direct responsibility for the conduct and control of the athletics department to the institution's chief executive. This authority must be explicitly defined, clearly understood, and articulated in a formal policy statement. It should be reinforced by consistent and visible public support of the chief executive.

- ◆ The board should support the president in setting benchmarks and standards for the conduct, operation, and oversight of the athletics program, monitor progress, and hold the president accountable for results.
- ◆ The board should articulate to the public, the media, and all institutional constituencies the fundamental nature of presidential leadership and authority in matters concerning intercollegiate athletics.
- ◆ When a president takes a bold or controversial stand regarding intercollegiate athletics, the board should publicly support and defend the president.

QUESTIONS FOR BOARDS TO CONSIDER:

1. How can the board ensure that it supports the chief executive's responsibility to control and set the tone for athletics program?
 2. Does our president understand the board's expectations for the athletics department? How often are those standards and expectations reviewed by the board and discussed with the president? Is leadership of the intercollegiate athletics program part of the board's periodic evaluation of the president?
 3. Is the president providing the leadership and direction necessary to implement the standards and expectations articulated by the board?
 4. Has the athletics department been fully integrated into the administrative structure of the university? Does the athletics director report directly to the president or through another administrator? How effective is communication between the president and athletics department?
 5. Are the president and faculty athletics representative appropriately involved with the athletics director in deciding the institution's position relative to pending conference and NCAA legislation regarding admissions, eligibility, academic progress, budget, and graduation?
-

ATHLETICS DEPARTMENT MISSION

The measure of success of an intercollegiate athletics program should be the degree to which the program contributes to the institution's mission and academic reputation. The board should be certain that its institution has established and promotes a definition of success for the athletics department that goes beyond wins and losses and net revenue. To that end, boards should insist that there is a clear mission statement for the athletics department.

For example, intercollegiate athletics can affect a broad range of institutional functions and programs such as admissions, fundraising, public image, alumni relations, campus culture, and service programs. Trustees should understand how athletics affect these areas and should be able to assess how effectively athletics contribute to institutional priorities and goals.

- ◆ Boards should be certain that the athletics department adheres to the institution's mission, values, and strategic objectives. If an athletics department mission statement does not exist, the board should require that one be developed.
- ◆ Boards and chief executives should agree on standards of accountability and reasonable benchmarks in evaluating the intercollegiate athletics program. Examples include graduation rates, budgets, capital expenditures, coaching conduct, and the progress and well-being of student athletes.
- ◆ The appropriate board committees should assess whether the intercollegiate athletics program is being evaluated against agreed-upon goals.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Are the mission, values, and goals of the athletics program compatible with those of the institution?
 2. Does the administrative structure of the institution and the athletics department allow the institution to achieve its mission and goals?
 3. What benchmarks should be used to gauge the success of the athletics department? Are they consistent with the institution's mission and values? Are they achievable given our resources, culture, and history?
 4. What is the impact of intercollegiate athletics on our campus climate? How does athletics affect admissions, social life, academic values, and the composition of the student body?
 5. What degree of autonomy should the athletics department have? In comparison with other co-curricular activities, is the athletics department appropriately integrated into the general administrative structure in terms of finances, employment practices, operating procedures, and accountability?
 6. Is an annual risk assessment conducted to evaluate the internal controls of the athletics department? Is the institution's internal audit program engaged in the evaluation?
 7. Is a comprehensive compliance program and review in place for the athletics program?
-

FISCAL RESPONSIBILITY

Boards should consider whether institutional revenues and expenditures for intercollegiate athletics are appropriate, whether institutional values are appropriately reflected in such revenues and expenditures, and whether the institution is receiving an adequate return on the investment. Boards are responsible for ensuring that financial and managerial affairs are administered with complete transparency and adherence to commonly accepted business standards. To that end, boards should insist that all budgetary and fiscal information presented to them is clear, accurate, timely, and complete.

- ◆ Boards should review and approve the intercollegiate athletics budget as part of the institution's regular budgeting process.
- ◆ Boards should devote the necessary time to understand the complexities of the financing of intercollegiate athletics. Elements include such matters as revenue flows from television contracts, booster clubs, affiliated foundations, corporate sponsorships, and athletics conferences, as well as revenues allocated to the athletics department from direct and indirect institutional support, governmental support, and student fees.
- ◆ Boards should review and approve policies intended to ensure that compensation procedures and practices for the intercollegiate athletics program are consistent with overall institutional standards and practices.
- ◆ Boards should ensure that private gifts in support of intercollegiate athletics reflect institutional priorities and that gift policies guide the acceptance of all donations.
- ◆ Boards should be certain that clear policies and reporting requirements exist with respect to the finances and fundraising activities of outside organizations. Specifically, boards should ensure that all funds raised by booster clubs and affiliated organizations and expended on behalf of the athletics department are under the clear control of the institution and subject to appropriate oversight by an office of the institution that is independent of the athletics department.
- ◆ Boards should review and approve all proposals for significant capital expenditures, including any future debt-service commitment.
- ◆ Boards should review the "agreed-upon procedures" between the athletics department and the NCAA that are required under NCAA legislation and discuss any findings included in the report.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Is the financial information on the athletics program complete and comprehensible? Do our financial reports contain information on all sources of revenue and expenditures?
 2. To what extent (financial or otherwise) does the institution subsidize intercollegiate athletics with allocated revenues? How does the growth of these allocated revenues compare with the overall growth of institutional expenditures?
 3. What are the financial and other implications of our membership in our athletics conference? Are we in the "right" conference?
 4. If the institution is considering changing the division or conference in which it competes, or if it contemplates adding a sport, has a cost analysis been conducted to determine whether this is appropriate?
 5. What is the impact of issuing additional debt for intercollegiate athletics facilities on the institution's overall debt capacity?
 6. Is the board or a board committee monitoring the fundraising efforts for intercollegiate athletics programs? Is the institution maintaining an appropriate balance in its fundraising priorities for athletics and academics? Are fundraising efforts for athletics and academics integrated with or discrete from one another?
-

ACADEMICS AND STUDENT-ATHLETE WELFARE

Boards should be certain that the intercollegiate athletics program reflects the institution's academic values and does not detract from or undermine them. Student athletes should be held to the same academic and social standards as other students, and they must have a genuine opportunity to enjoy a well-balanced academic, social, and athletic experience and earn a degree. Boards should recognize and support the voice and views of faculty on academics, student welfare, and institutional reputation and should encourage faculty to engage collaboratively on these issues.

- ◆ Boards should insist on an institutional culture that integrates student athletes into the campus mainstream as well as an athletics department culture that promotes academic achievement.
- ◆ Boards should refrain from establishing specific academic or eligibility standards for student athletes, because such matters are the responsibility of the faculty, administration, and the NCAA.
- ◆ Boards should be confident that admissions policies for athletes are consistent with those of the regular student body, and trustees should not interfere with admissions decisions regarding any prospective student athletes.

- ◆ Boards should be vigilant that admissions policies for student athletes do not have an adverse impact on the academic mission or cause an imbalance in the campus culture.
- ◆ Boards should review graduation-rate data, information on the number and rates of special admissions of athletes compared with that of the regular student body, and information on the declared majors of student athletes.
- ◆ Boards should ensure that academic-support programs for athletes are part of the institution's general academic-support programs.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Do we have a mechanism in place that allows effective communication with faculty regarding student-athlete academic and welfare issues?
 2. Do our coaches contribute to an atmosphere within their programs that is conducive to academic achievement?
 3. If our athletics department has an incentive and reward system for coaches or administrators, does it encourage positive outcomes for student athletes in terms of academics and general welfare? For example, do such contracts include incentives relating to graduation rates or to the academic achievement of student athletes?
 4. Is the academic-support program able to meet the needs of student athletes?
 5. How many student athletes transfer from our institution? Why do they do so? Do any of our teams have a large number of junior-college or interdivisional transfers? If so, what is the graduation rate of these students compared with those who matriculate directly with our institution?
-

COMPLIANCE

Boards should be certain that the chief executive understands and has communicated the board's expectations regarding the ethical conduct of all individuals associated with the intercollegiate athletics program and that institutional, conference, and NCAA rules and regulations are routinely followed.

- ◆ Boards should review and discuss results of the NCAA institutional self-study and certification processes.
- ◆ Boards should review and monitor the institution's plans to ensure gender equity.
- ◆ Boards should insist that NCAA rules and regulations relating to the time demands placed on student athletes are met in spirit and in practice.

QUESTIONS FOR BOARDS TO CONSIDER:

1. What is our philosophy and policy concerning the background, qualifications, and compensation of our coaches and athletics director?
 2. Do our coaches and administrators accept their responsibilities to be educators? How is this communicated to them?
 3. What professional development opportunities are available for our coaches and administrators to help them be effective educators?
 4. Is the institution utilizing best practices for coaches' contract language that is consistent with the institution's values and philosophy? (The NCAA and other organizations may offer resources in this area.)
 5. Are any board members communicating inappropriately with athletics-department personnel or coaches?
 6. Is the required curriculum of our undergraduate or graduate program in sports administration designed to teach not only the business-related aspects of the profession but also to instill in students a thorough understanding of appropriate educational values and the responsibilities of educators?
-

PERSONNEL

Boards should not be directly involved in the process of hiring and firing coaches or other athletics–department personnel. Boards are ultimately responsible for the integrity of the hiring process of all athletics–department personnel and should ensure the department is suitably accountable for the academic performance of student athletes. Boards should expect that presidents will communicate to athletics department personnel and coaches the institution’s academic expectations and values as well as the responsibilities inherent in being educators.

- ◆ The board’s compensation committee should ask to review the compensation packages of the athletics director and head coaches of major sports.
- ◆ Board members should be discouraged from fostering personal relationships with the athletics director or coaches.
- ◆ Boards should be confident the president has set clear expectations regarding the responsibilities of the athletics department and its coaches and administrators in the academic life of student athletes.

QUESTIONS FOR BOARDS TO CONSIDER:

1. How effectively is our commitment to compliance with institutional, conference, and NCAA rules and regulations communicated to coaches, administrators, students, faculty, boosters, and alumni?
 2. Does our president meet periodically with athletics department personnel to articulate expectations concerning compliance and ethical conduct?
 3. Has the institution fully complied with Title IX regulations concerning gender equity, or are additional efforts and investments necessary?
 4. Are thorough background checks conducted of prospective athletics department employees? How carefully are records of compliance with NCAA rules considered in the hiring process?
 5. Is there a clear, consistent, and effectively communicated process by which NCAA violations are reported and investigated?
 6. Do we have a written policy that protects whistleblowers from punitive action?
-

COMMUNICATION AND INFORMATION FLOW

Boards should ask for a data-based information system that covers all areas relating to athletics. Board members must ask incisive questions, demand good information and analysis of trends, and communicate effectively with appropriate constituencies.

- ◆ Boards should request that accurate, appropriate, and unfiltered data be provided regularly and in a timely manner on such topics as admissions, academic achievement, graduation rates, finances, and athletics-conference matters.
- ◆ To ensure that their input is substantive and timely, boards should be certain their agendas appropriately consider matters concerning intercollegiate athletics. This is particularly important in matters relating to fiscal and admissions policies.
- ◆ Ordinarily, the president speaks for the institution on matters concerning intercollegiate athletics policy. In the event the board's views are solicited, it should be clear that the board chair is the designated spokesperson.

QUESTIONS FOR BOARDS TO CONSIDER:

1. Who is responsible for providing the board with information pertaining to intercollegiate athletics? When and how is that information provided?
 2. Do we have a policy that guides the resolution and communication of a possible problem or allegation concerning the responsible conduct of our intercollegiate athletics program? How are potential rules violations and adverse publicity to be handled?
 3. In what ways can our board chair and president clearly and effectively communicate the proper role and purpose of athletics within the institution?
-

AN ISSUE FOR THE BOARD AND PRESIDENT TO DISCUSS...

Should a separate board committee on athletics be established?

YES: At institutions where major intercollegiate athletics programs have become highly visible, a standing or advisory board committee is necessary to consider the broad array of immediate and complex issues that have significant potential to adversely affect the institution. Consequently, regular and timely consideration of the various issues by one board committee is essential. Athletics matters may become “lost” when handled by more than one standing committee. If the relationship between the president, the athletics director and his or her staff, and the chair of the athletics committee goes well, the full board can be confident that the most important things are being attended to.

NO: A separate athletics committee is not necessary because the specific elements of athletics oversight can be appropriately delegated to and addressed by other standing committees. The creation of an athletics committee can send the wrong signal regarding intercollegiate athletics; it inadvertently could reinforce perceptions that the governing board is disproportionately preoccupied with intercollegiate athletics. A separate committee could become a forum dominated by trustees devoted to protecting (or criticizing) athletics, rather than effectively monitoring the program. What’s more, in the event of a crisis or controversy, an athletics committee might limit the president’s ability to act decisively on urgent matters.

A POSSIBLE ALTERNATIVE: Consider a separate committee, perhaps with a trustee member ex officio, consisting of faculty, staff, and student members with a monitoring-only function. Such a committee would not be an action committee but would provide information and recommend matters for study to the president, standing board committees, or to the full board. One function of such a committee might be to issue an annual report and summary of relevant issues and actions to the chief executive and full board.

ILLUSTRATIVE POLICY ON INTERCOLLEGIATE ATHLETICS FOR BOARDS AND PRESIDENTS

Preamble

The well-being of the student body and student athletes and the success of the institution's academic mission depend on communication, cooperation, and coordination on every level; clear delineation of responsibilities is critical. An intercollegiate athletics policy should spell out roles of the board, president, and athletics department in a manner consistent with their requisite leadership and oversight responsibilities.

As the NCAA Division I Athletics Certification process continues to be strengthened, having a clear statement of board oversight responsibilities can contribute to the integration of intercollegiate athletics into the educational context of our institutions of higher learning. This illustrative policy statement may not be of uniform applicability to all colleges and universities and all athletic divisions, each with its unique needs and circumstances; rather, it is presented as a source of guidance in the crafting of specific policies on intercollegiate athletics. Individual institutions may choose to adopt the provisions of this statement to their institution and division, as appropriate; the regular review and communication of this policy to relevant parties is critical.

Illustrative Policy

- I. The board, as the fiduciary body for _____, carries out its oversight through the following specific actions:**
 1. Delegating administrative responsibility for intercollegiate athletics and the management to the Office of the President and lend its full and public support to the president in the execution of his/her duties.
 2. Approving, with the president, standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program.
 3. Holding the president responsible for the appropriate execution of those responsibilities and assessing presidential performance during periodic reviews.
 4. Reviewing and approving the athletics budget as part of the regular institutional budget process, including revenue, expenditures, compensation procedures for athletic director and coaches, debt capacity, and gift policies, in keeping with the board's overall responsibility as financial steward of the institution.
 5. Reviewing and approving an Athletics Department mission statement that reflects the university's mission and academic values.
 6. Including in new board member orientation a review of all policies pertaining to athletics. This orientation is designed to educate trustees about their responsibilities concerning intercollegiate athletics and to clarify expectations for the athletics department and its place within the larger university culture and mission and its

tone, direction, and values. This orientation process should further include a review of: the impact of intercollegiate athletics on campus culture, the academic profile of athletes compared with other students, the institution's financial commitment to athletics, the relationship to the athletic conference to which the institution belongs, and the NCAA rules that apply to boards and trustees.

7. Ensuring the full integration of the athletics department into the administrative structure of the university by working with the president and athletics department. This includes determination of whether the athletics director reports directly to the president or through another administrator.
8. Periodically conducting a review of governance policies related to intercollegiate athletics.

II. The president, with authority and responsibility vested by the governing board of _____, leads the intercollegiate athletics programs of _____ through the following specific actions:

1. Exercising ultimate responsibility for the conduct and control of the athletics department, including all personnel decisions (hiring, firing, compensation, etc.), corporate partnerships, television contracts, booster clubs, and affiliated organizations, including their private fundraising efforts.
2. Setting appropriate standards of accountability and benchmarks against which to measure the success of the intercollegiate athletics program. Standards and benchmarks should include finances, admissions, student-athlete well-being, academic advising, graduation rates, facilities, capital expenditures, and conflict-of-interest policies.
3. Establishing and upholding, with the faculty and administration, academic and eligibility standards for student athletes that reflect the institution's academic values and mission.
4. Communicating to the board of trustees on his or her fulfillment of responsibilities as they relate to agreed-upon goals, standards, and benchmarks of the intercollegiate athletics program.
5. Reviewing, with the board, the NCAA institutional self-study and certification process and the institution's compliance with Title IX provisions concerning gender equity, as well as departmental compliance with any laws and regulations to which the institution is subject.
6. Communicating clearly with the board, coaches, administrators, students, faculty, boosters, and alumni concerning: compliance with institutional, conference, and NCAA rules and regulations; the mission, values, and goals of the athletics department; appropriate stewardship of and contact with donors and students; and the acceptance of benefits from the athletics department.

III. The Athletics Department of _____ affirms its responsibilities to:

1. Develop a mission statement that reflects the university's mission and academic values, and establish expectations for standards of behavior for coaches and student athletes appropriate to their positions as representatives of the university. These standards will be upheld through normal university disciplinary procedures and, as appropriate, local and state procedures.
2. Provide information concerning standards of accountability and benchmarks to the president and the board and the department's success in meeting those standards.
3. Adhere to NCAA rules and regulations relating to the time demands placed on student athletes, meeting them in spirit and in practice.
4. Ensure that the Athletics Department is complying with provisions concerning gender equity and with all institutional, conference, and NCAA rules and regulations to which the institution is subject.
5. Report NCAA violations according to procedures established by the existing standing committee with purview over athletics.

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The “AGB Statement on Board Responsibilities for Intercollegiate Athletics” encourages all governing boards and chief executives to review and monitor their institutions’ policies and practices on intercollegiate athletics. It is not intended to be prescriptive or to offer legal advice. Rather, it is intended to serve as a template and resource for discussions of good governance, policies, standards, and principles.

The AGB Board of Directors first adopted a statement on intercollegiate athletics on March 28, 2004. It adopted this revision on November 16, 2007 and approved the “Illustrative Policy on Intercollegiate Athletics for Boards and Presidents” on April 3, 2009.

The AGB board has adopted other statements that discuss important board responsibilities:

- AGB Board of Directors’ Statement on Board Accountability
- AGB-CHEA Joint Advisory Statement on Accreditation & Governing Boards
- Association of Governing Boards of Universities and Colleges Statement on Board Responsibility for Institutional Governance
- AGB Statement on Board Responsibility for the Oversight of Educational Quality
- AGB Statement on External Influences on Universities and Colleges
- AGB Board of Directors’ Statement on Conflict of Interest with Guidelines on Compelling Benefits
- Updated AGB Advisory Statement on Sexual Misconduct
- AGB Board of Directors’ Statement on Fiduciary Duties of Governing Board Members
- AGB Board of Directors’ Statement on Board Responsibility for the Oversight of College Completion

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